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The Commonwealth of Massachusetts

ANNUAL REPORT

OF THE

Commissioner of Civil Service

FOR THE

YEAR ENDING NOVEMBER 30, 1928

DEPARTMENT OF CIVIL SERVICE AND REGISTRATION



The Commonwealth of Massachusetts

COMMISSIONERS OF CIVIL SERVICE

ELLIOT H. GOODWIN, *Commissioner*, Cambridge.
 GEORGE M. HARLOW, *Associate Commissioner*, Boston.
 PATRICK J. MCMAHON, *Associate Commissioner*, Westfield.
Executive Secretary, JOHN C. GILBERT, Winchester.
Chief Clerk, PERSIS A. RICHARDSON, Winchester.
Director, Examination Bureau, PERCY A. HARRISON, Somerville.
 OFFICE OF DIVISION OF CIVIL SERVICE, Rooms 147-152, State House, Boston.

LOCAL REPRESENTATIVES OF THE DIVISION OF CIVIL SERVICE

BROCKTON—MARY E. CONNOLLY, City Hall.
 CHICOPEE—CARRIE M. STEBBINS, 356 Springfield Street.
 FALL RIVER—THOS. D. SULLIVAN, 87 East Main Street.
 FITCHBURG—FREDERICK J. MULHERN, Room 8, City Hall.
 GLOUCESTER—CHARLES H. MORROW, M.D.
 HAVERHILL—EDWARD B. SAVAGE, 36 Main Street.
 HOLYOKE—CLIFFORD S. LYON, Hadley Falls Building.
 LAWRENCE—CONCETTA PEREZ, City Hall.
 LOWELL—WARREN W. FOX, Wyman's Exchange.
 MARLBOROUGH—WILLIAM H. MURPHY, Corey Building.
 NEW BEDFORD—WILLIAM J. CARTER, 7 Municipal Building.
 NORTH ADAMS—FRED H. REAGAN, 87 Main Street.
 PITTSFIELD—OSCAR S. READ, 7 North Street (mailing address, P. O. Box 1182)
 SPRINGFIELD—GEORGE H. HUGHES, Court Square Building.
 TAUNTON—HOWARD A. BRIGGS, care of City Treasurer.
 WORCESTER—MRS. ANNIE B. PROULX, Room 7a, City Hall.

CIVIL SERVICE LABOR REGISTRATION CLERKS

BROOKLINE—THOMAS J. MORAN, Town Hall.
 CAMBRIDGE—HARRY L. LINCOLN, City Hall.
 EVERETT—FLORENCE L. ROBERTSON, City Hall.
 FALL RIVER—CHARLES J. BURKE, City Hall.
 FITCHBURG—FREDERICK J. MULHERN, Room 8, City Hall.
 LOWELL—PATRICK J. REYNOLDS, City Hall.
 LYNN—MARY E. MORAN, City Hall.
 MEDFORD—A. A. LUCY, City Hall.
 NEW BEDFORD—WILLIAM J. CARTER, 7 Municipal Building.
 NEWTON—ANDREW PRIOR, City Hall.
 REVERE—M. ELIZABETH PERSON, City Hall.
 SOMERVILLE—MRS. FLORENCE A. COOK, City Hall.
 WALTHAM—LEO J. HINCHEY, City Hall.
 WORCESTER—MRS. ANNIE B. PROULX, Room 7a, City Hall.

DEPARTMENT OF CIVIL SERVICE AND REGISTRATION

To the Honorable Senate and House of Representatives in General Court assembled:

In accordance with the provisions of section 30, chapter 31 of the General Laws, I hereby submit the forty-fifth annual report of the Department of Civil Service and Registration, Division of Civil Service, covering the period from Dec. 1, 1927, to Nov. 30, 1928, inclusive.

To fill the vacancy caused by the death of Commissioner Payson Dana, the Governor on Dec. 21, 1927, appointed Mr. Elliot H. Goodwin, of Cambridge, to fill the unexpired term. On Feb. 1, 1928, Mr. George M. Harlow was reappointed as Associate Commissioner.

EXAMINATIONS

The Commission has met the complaint of appointing officers that examinations were not being held frequently enough and, consequently, that they were compelled to appoint those who had obtained only low standing, by increasing the number of all examinations,—entrance, promotion, and oral. During the year 1928, 190 entrance examinations were held as against 118 in 1927, 65 promotions as against 45 in 1927, and 113 oral examinations as against 67 in 1927.

In order to provide better personnel for the public service, the Commission has also raised the standard of examinations by advancing the passing mark from 65 per cent to 70 per cent and by a ruling that, in cases where no higher standard is fixed in the announcement of the examination, no person shall be allowed to pass who falls below 50 per cent in any of the different subjects of the examination.

EXAMINING COURT RECORDS

In October, 1928, an order was issued that hereafter no man should be certified to any position subject to the Civil Service Law and Rules whose court record had not been examined. These records are available at the office of the State Probation Commission in the Suffolk County Court House. For some years they have been made use of by the Federal Civil Service Commission, but only occasionally by this Commission. This occasional use, however, had disclosed the fact that a marked proportion of applicants had records which would debar the Commission from certifying them as men of good character, and a slight increase in force during 1928 made possible the examination of records in all cases. The Civil Service Rules declare explicitly that "good character is an essential qualification for admission to the eligible list."

The result obtained in the few months since the introduction of the system not only fully justified the expense involved, but also raised serious question as to the character of persons appointed prior to its adoption. The figures show that 6,569 persons have been examined, and of those 1,242 were found to have records. Of those having records 45.37 per cent failed to disclose them under oath in their application for examination, thus subjecting themselves to prosecution for perjury. In 407 cases the record disclosed was not of sufficient importance or was so far back that the applicant was admitted. Every person whose record has led to the cancellation of his application has been notified of his right to a hearing before the Commissioner and, where the result is adverse, an appeal is allowed as a matter of right to the full board of commissioners.

CHANGES IN RULES

The most important change in rules during the past year was that approved by the Governor and Council on Nov. 28, 1928, changing the method of certification for appointment in the labor service. Hitherto the rule has provided that the Commission shall certify twice as many names as there are vacancies, and the appointing officer has been allowed to select half the names certified from any part of this list. No such latitude is allowed in the case of certifications of persons in the competitive class nor in other jurisdictions where the Civil Service Law applies to laborers. With the change, the rule for the certification of laborers will be exactly the same as for certification to competitive positions. To illustrate concretely the importance of this change, prior to its being made, in case of thirty vacancies sixty names would have been certified with power of the appointing officer to select any thirty he saw fit, where, with the change in the rules, his scope of choice would be limited to thirty out of forty-two.

The amendments to the rules, as submitted to the Governor and Council and approved, appear in this report. (See pages 13-15.)

APPROPRIATION

Considering the scope of its work and of its jurisdiction, which extends to all parts of the State service wherever located, to all cities, 39 in number, and to 47 towns, the Division is inadequately housed and understaffed. The office is located in the State House under conditions of over-crowding which interfere seriously with the efficiency of the work, and it lacks adequate room for examinations and, particularly, for physical tests. Until August, 1928, when an additional appointment was made, the staff of investigators, charged with the duty of investigating whether or not the law was being properly carried out in all parts of the State, was limited to one man, and the appropriation, outside of personnel, was \$1,000. The result has been exactly what might have been expected; namely: that the attempt to secure proper enforcement and uniform enforcement with the law and rules has been inadequate to the task.

Investigation is an obvious duty of the Division, in order to secure the results sought by the Legislature in passing the act and to maintain the rights of those who

have taken examinations and qualified for employment, in accordance with the law and rules. It is made obligatory on the Commission by Sections 33, 34 and 35, chapter 31 of the General Laws.

Section 33. On request of any appointing power in respect to officers or employees by it appointed, the commissioner shall, and the commissioner may at any time without such request, inquire into the efficiency and conduct of any officers or employees in the classified civil service, and may recommend to the appointing power the removal of any such officers or employees, or make other appropriate recommendations.

Section 34. The commissioner may investigate in whole or in part the classified civil service, and the work, duties and compensation of the officers and employees therein, and the number employed, and the grades, titles, ratings and methods of promotion established, and may report thereon to the governor, or to the general court.

Section 35. The two preceding sections shall not apply to policemen or firemen.

With inadequate appropriations it has been impossible for the Division to do anything under Section 33 in regard to the efficiency and conduct of officers and employees in the classified civil service, and only in a partial and inadequate way to carry out Section 34 and maintain enforcement of the law.

The Commissioner has requested from the Legislature, beginning its session Jan. 2, 1929, a special appropriation of \$10,000 for the purpose of carrying out the requirements of these sections.

The most important investigations carried out during the past year dealt with violation of the labor rules in the cities of Cambridge, New Bedford, Fall River, and Lowell. The forms of violation were chiefly those by which, in order to avoid making appointments from the regular list of persons who had qualified thereon, resort was made to peculiar titles, under which favored persons had been instructed to register. These men were then employed and immediately put to work as ordinary laborers. Another form of violation of law and rules resorted to in large measure was abuse of the emergency rule, which permits, in case of an actual emergency, an appointment for a brief period without reference to the civil service list.

LEGISLATIVE PROPOSALS

I. AGE, HEIGHT AND WEIGHT LIMITATIONS

By amendment of section 4 of chapter 31 of the General Laws approved April 4, 1924, power to fix by rules of the Civil Service Commission, approved by the Governor and Council, age, height and weight limitations for applicants for police and fire departments was taken away. Power to fix height and weight was lodged in the city council or selectmen, and it was further stated that no rule should prescribe a maximum age limit for applicants for positions in police or fire departments lower than thirty-five years.

Age, height and weight limitations are qualifications for positions, which, like other qualifications, mental and physical, should be fixed by the civil service authorities of the State. Moreover, they should not be matters of legislation, but should be subject to variation in emergencies without requiring the lengthy process of amendment by the Legislature. Thus, during the World War and immediately following the police strike these preliminary requirements had to be lowered in order to provide a sufficient number of eligibles to meet the requirements of the service.

Since this amendment was adopted in 1924 the Rules have fixed the maximum age limit at thirty-five except in cities where no pension provision is in force, where the maximum limit is forty. The minimum age limit in the principal cities is twenty-five and in smaller cities twenty-one.

The objection to these provisions is not merely their lack of flexibility, but, further, that they do not prescribe the admission of men at the maximum of their physical ability, and that they unduly curtail the period of active service and thus increase the charge on the pension provision. The minimum age limit under present conditions should be the same as in New York City, where it is fixed at twenty-one, and the maximum also should follow the New York rule of twenty-nine. It is well known that athletes, professional and amateur, reach their highest development while in the twenties and deteriorate after thirty. The higher age limit maintained

in Massachusetts means, further, that those who by examination from grade to grade reach their higher official positions are usually over age, past their prime and no longer fitted actively to lead the force. Moreover, when they reach the highest positions they are generally about to be retired in the course of the next few years.

The relation of height to weight and to chest expansion and mobility has been carefully worked out in tables by competent physicians and physical trainers, and should be observed by the Civil Service Commission in judging the qualifications of applicants. Nowhere, in my opinion, have they been better worked out and more successfully used than in admission to the police and fire departments of New York City.

II. DUTIES AND LIABILITIES OF PUBLIC OFFICIALS

The Civil Service Law of Massachusetts is below the standard of other civil service laws in its failure to prescribe the duties and liabilities of appointing officials. The law should contain a forthright requirement to comply with the law and the rules made thereunder and to aid in carrying them into effect. In order to insure the performance of this duty a person appointed in violation of law and rules should be given a right of action against the officer or officers responsible for such illegal employment for the compensation agreed upon for any services performed under such appointment, with the added provision that no public officer shall be reimbursed by the State or any of its several divisions for any sums so paid or recovered in any such action.

The bill to carry this into effect is taken bodily from section 8 of the Civil Service Law of New York.

STATUS OF THE LAW

Compared with civil service legislation elsewhere throughout the United States and in the Federal service, the Massachusetts Civil Service Law is of a fairly high standard, but by no means so complete in its jurisdiction and powers of enforcement as the best. Branches of the service, which, in other states and cities are brought under the jurisdiction of the law and rules, are exempt from that jurisdiction in this State; and individual positions connected with certain offices are exempt by law without regard to the number of persons appointed, where elsewhere the number of appointments is strictly limited. Powers of enforcement are also limited and during the course of years the Legislature, presumably in response to individual cases in which there appeared to be hardship or for other reasons, has seen fit by special act further to limit the jurisdiction.

GENERAL CONDITIONS

Owing chiefly to lack of staff, which is in turn due to limited appropriations, the Civil Service Division has not been able to maintain that standard of enforcement in all parts of the State and in the cities and towns which the law contemplated. Attention has previously been called to the fact that, in the absence of appropriations, it has been impossible to do anything to carry out Section 33 of the law in regard to inquiring into the efficiency of officers or employees in the classified civil service. The most important check upon the violation of law by appointing officers is that requiring the submission of payrolls for approval before payment is made. This is mandatory only as to the City of Boston. In all other cases a sworn duplicate of the payrolls may be required monthly. The Division is unable, with its limited force, to check the payrolls in the State and in cities and towns other than Boston with sufficient frequency and to follow up this checking with the investigation of actual conditions which the payroll discloses. As a result, violations and evasions of the law and rules are not discovered as soon as they should be and are often permitted to continue for a period of many weeks and even months, to the detriment of the service and to the unfair and unlawful exclusion of persons eligible for appointment.

Although the work of the Commission tends to increase year by year, the appropriation for the year 1928 was only \$8,150 in excess of the appropriation for 1923 and amounts in total to \$125,900.

Class	NAME OF POSITION	NUMBER OF EXAMINATIONS		Number of Applicants notified	NUMBER EXAMINED		NUMBER PASSED		NUMBER OF PERSONS APPOINTED						TOTAL		
		General Competitive	Non-Competitive		Males	Females	Males	Females	VETERANS		DISABLED	CIVILIANS					
									Males	Females		Males	Females				
16	Metropolitan District Policeman (promotion):																3
17	State	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	Watchman:																
	State	1	17	288	213	91	24	—	—	—	—	—	—	—	—	—	42
17	Boston	1	1	69	38	23	14	—	—	—	—	—	—	—	—	—	23
	Other Cities	3	—	60	42	24	3	—	—	—	—	—	—	—	—	—	8
	Matron:																
17	Boston	1	1	76	—	—	—	20	—	—	—	—	—	—	—	—	5
	Other Cities	1	1	3	—	—	—	3	—	—	—	—	—	—	—	—	2
	Ambulance Chauffeur:																
18	Boston	1	—	127	103	1	—	—	—	—	—	—	—	—	—	—	—
	Attendance Officer:																
	Boston	1	—	228	163	81	—	17	—	—	—	—	—	—	—	—	—
19	Other Cities	1	1	21	17	9	1	—	—	1	—	—	—	—	—	—	1
	Fireman:																
	Boston	1	—	454	335	135	—	—	—	36	—	—	—	—	—	—	36
20	Fireman (promotion):																
	Boston	2	—	75	69	53	—	—	—	—	—	—	—	—	—	—	—
	Other Cities	5	4	1,571	1,176	483	—	—	—	161	—	—	—	—	—	—	35
21	Fireman:																
	Boston	25	—	601	577	353	—	—	—	—	—	—	—	—	—	—	267
	Other Cities																
21	Fireman (promotion):																
	Boston	1	23	65	65	31	—	—	—	4	—	—	—	—	—	—	37
	Other Cities	2	5	75	50	19	—	—	—	6	—	—	—	—	—	—	24
22	Foreman (promotion):																
	Boston	1	—	6	5	2	—	—	—	—	—	—	—	—	—	—	18
	Other Cities	6	1	124	109	29	—	—	—	6	—	—	—	—	—	—	24
22	Foreman:																
	Boston	1	—	6	5	2	—	—	—	—	—	—	—	—	—	—	2
	Other Cities	1	—	1	1	1	—	—	—	—	—	—	—	—	—	—	—
23	First Assistant Assessor:																
	Boston	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	7

24	Janitor:	1	11	109	81	1	50	1	2	-	12	-	14
	State	1	-	378	279	24	170	14	21	-	-	4	25
	Boston	3	10	915	689	67	398	32	58	-	70	4	132
24	Janitor (promotion):												
	Other Cities	1	-	6	5	-	3	-	-	-	*1	-	1
25	Drawtender:												
	State	1	-	59	38	-	6	-	1	-	-	-	1
	Boston	-	-	-	-	-	-	-	15	-	13	-	28
	Other Cities	-	-	-	-	-	-	-	1	-	3	-	4
26	Engineer and Fireman:												
	State	1	12	158	120	-	85	-	11	-	33	-	44
	Boston	1	-	118	92	-	63	-	27	-	13	-	40
	Other Cities	2	5	123	99	-	70	-	10	-	17	-	27
27	Civil Engineer:												
	State	3	2	602	495	-	274	-	11	-	120	-	131
	Boston	3	-	117	89	-	34	-	5	-	11	-	16
	Other Cities	1	11	121	102	-	61	-	4	-	43	-	47
27	Civil Engineer (promotion):												
	State	-	26	26	26	-	18	-	-	-	*22	-	22
	Boston	-	2	2	2	-	1	-	-	-	-	-	-
	Other Cities	-	5	5	4	-	4	-	-	-	*5	-	5
28	Architects:												
29	Electrician:												
	State	-	1	1	1	-	1	-	1	-	-	-	1
	Boston	1	-	69	44	-	9	-	1	-	3	-	4
	Other Cities	5	-	19	17	-	7	-	4	-	4	-	8
30	Mate and Pilot:												
	Boston	1	-	8	8	-	7	-	-	-	1	-	1
30	Mate and Pilot (promotion to captain):												
	Boston	-	-	-	-	-	-	-	-	-	*1	-	1
31	Dietitian:												
	State	1	9	16	1	15	-	9	-	-	-	9	9
	Boston	-	4	4	-	4	-	4	-	-	-	3	3
	Other Cities	-	2	2	-	2	-	2	-	-	-	3	3
32	Physician, Dentist, Bacteriologist, Psychologist, etc.:												
	State	5	5	37	21	13	8	7	-	-	1	3	4
	Boston	2	1	17	4	8	1	7	15	-	1	2	18
	Other Cities	15	5	98	76	11	51	7	16	-	4	6	26

OFFICIAL SERVICE—Concluded

Class	NAME OF POSITION	NUMBER OF EXAMINATIONS		Number of Applicants Notified		NUMBER EXAMINED		NUMBER PASSED		NUMBER OF PERSONS APPOINTED					
										VETERANS		DISABLED VETERANS		CIVILIANS	
		General Com-petitive	Non-com-petitive			Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
32	Physician (promotion): Boston	1	—	8	6	—	—	3	—	—	—	—	—	*1	—
33	Fish and Game Warden: State	4	12	168	127	—	—	39	—	6	—	—	—	18	—
34	Chemist and Pharmacist: State	3	4	25	12	2	—	6	1	—	—	—	—	5	1
	Boston	4	2	22	12	4	—	7	1	1	—	—	—	4	—
	Other Cities	2	1	6	5	—	—	2	—	1	—	—	—	1	—
	Nurse: State	1	1	29	1	25	—	—	9	—	—	—	—	—	—
35	Boston	3	1	91	—	78	—	—	21	—	—	—	—	—	18
	Other Cities	4	5	81	—	69	—	—	28	—	—	—	—	—	33
	Nurse (promotion): Boston	—	—	—	—	—	—	—	—	—	1	—	—	—	*3
															4

*Includes veterans, as well as civilians. Veterans' preference does not apply in promotion.

LABOR SERVICE

	Number Registered	NUMBER APPOINTED				Total
		Veterans		Civilians		
		Male	Female	Male	Female	
Commonwealth	2,770	335		113	13	461
Boston	7,622	738	2	555	548	1,843
Brookline	261	31		39	7	77
Cambridge	1,038	118		65	36	219
Everett	544	48		97	4	149
Fall River	1,090	30		67	39	136
Fitchburg	267	18		22	1	41
Lowell	1,352	113		87	5	205
Lynn	336	18		8	10	36
Medford	387	40		185	8	233
New Bedford	594	18		16	7	41
Newton	357	32		58	3	93
Revere	129	12		33	1	46
Somerville	431	21		60	7	88
Waltham	334	28		68		96
Worcester	2,042	185		258	71	514
Totals	19,554	1,785	2	1,731	760	*4,278

*Includes 992 appointed under general authority.

Number of Present Employees in Labor Service Classified under Civil Service Rules

Commonwealth, 591	Fitchburg, 234	Revere, 84
Boston, 4,765	Lowell, 658	Somerville, 283
Brookline, 340	Lynn, 455	Waltham, 227
Cambridge, 937	Medford, 280	Worcester, 1,190
Everett, 123	New Bedford, 659	
Fall River, 649	Newton, 447	Total, 11,922

PHYSICAL EXAMINATIONS

Official Service

Number examined	3,840	
Disabled veterans examined	11	
Number re-examined	354	
Total		4,205
Number rejected	908	

Labor Service

Number examined		2,400
Number rejected	473	
TOTAL PHYSICAL EXAMINATIONS		6,605
TOTAL REJECTIONS		1,381

Practical Tests—Labor Service

	Examined	Failed
Teamster	162	79
Gardening Laborer	311	183
Scytheman	321	220
Lifeguard	159	30
Paver	14	5
Auto mechanic	15	10
Lineman	9	8
Edgestone setter	19	18
Air compressor operator	15	9
Tree climber	13	11
Asphalt raker	34	32

Respectfully submitted,

ELLIOT H. GOODWIN,
Commissioner of Civil Service.

AMENDMENTS TO THE CIVIL SERVICE RULES

*Submitted to the Governor and Council for approval under
Section 3 of Chapter 31 of the General Laws*

Rule 4 of the Civil Service Rules is hereby amended by striking out Class 27 thereof and substituting therefor the following:—

Class 27. Civil, designing, electrical, mechanical, and sanitary engineers.

Grade I. Junior Engineering Aides who, under immediate supervision, assist on engineering work involving the least technical skill and responsibility.

Grade II. Senior Engineering Aides who, under supervision, assist on engineering work involving some knowledge and training in engineering practice.

Grade III. Junior Civil or other Engineers, Chiefs of Survey Parties, and Senior Engineering Draftsmen. Men who, under general supervision, have local charge of a minor engineering project such as a survey party engaged on preliminary and final surveys on construction work or other similar tasks, or make finished drawings.

Grade IV. Assistant Civil, Designing, Electrical, Mechanical, and Sanitary Engineers. Men who, under direction, have local charge of a major engineering project, or have general or territorial supervision of a restricted branch of engineering activities in field or office.

Grade V. Senior Civil, Designing, Electrical, Mechanical, and Sanitary Engineers. Men who, under direction, have general charge of an assigned branch of engineering work of major scope, in the field or office; conduct investigations, develop plans, and prepare estimates for major engineering projects.

Grade VI. Associate Engineers, District Engineers, Chief Engineers. Men who, under general direction, or subject to administrative approval, have general charge of engineering activities in field or office involving a high degree of administrative responsibility.

(Signed) ELLIOT H. GOODWIN
GEORGE M. HARLOW
PATRICK J. MCMAHON
Commissioners of Civil Service

Approved in Council; June 27, 1928

(Signed) WILLIAM L. REED
Executive Secretary.

A true copy. Attest:

JOHN C. GILBERT
Executive Secretary
Division of Civil Service.

In accordance with the provisions of Section 7 of Chapter 31 of the General Laws, notice is hereby given that said amendment to the civil service rules will take effect on the first day of September, A.D. 1928.

By order of the Commissioners of Civil Service.
July 2, 1928

JOHN C. GILBERT
Executive Secretary.

Rule 16, Section 1, is hereby amended by crossing out in the first line thereof the words "in the official service," so that said Section shall read as follows:

1. Certification shall be made in the order of the standing on the eligible list, except as provided in Section 5 of this rule, as follows:—

For 1 vacancy, 3 names.	For 4 vacancies, 6 names.
2 vacancies, 4 names.	5 vacancies, 7 names.
3 vacancies, 5 names.	

For each multiple of five vacancies, the same multiple of seven names; for vacancies from one to four inclusive over a multiple of five, additional names according to the above table.

Rule 36 (Certification of Civil War Veterans) and Rule 37 (Certification of Other Eligibles) are hereby repealed.

Rule 38 (Employment) is hereby changed to Rule 36 and Section 2 thereof is hereby repealed. Sections 3, 4, and 5 are hereby renumbered 2, 3, and 4, respectively.

Rules 39 to 46, inclusive, are hereby renumbered as follows:

Rule 39 (Emergency Appointment)	renumbered	Rule 37
Rule 40 (Suspension and Absence)	renumbered	Rule 38
Rule 41 (Transfer)	renumbered	Rule 39
Rule 42 (Reinstatement)	renumbered	Rule 40
Rule 43 (Change of Duties)	renumbered	Rule 41
Rule 44 (Confirmation of State and Municipal Appointees)	renumbered	Rule 42
Rule 45 (Meetings of the Commis- sioners)	renumbered	Rule 43
Rule 46 (Appeal)	renumbered	Rule 44

Civil Service Rule 4, Class 26, is hereby amended by adding at the end thereof the item "i. Marine firemen.", so that said Class 26 will read as follows:

Class 26. Licensed engineers and firemen—oilers.

- a. Persons employed in schools or other public buildings, where they are required to hold first-class engineers' licenses.
- b. Persons employed in schools or other public buildings, where they are required to hold second class engineers' licenses.
- c. Persons employed in schools or other public buildings, where they are required to hold third-class engineers' licenses, or extra first-class firemen's licenses.
- d. Persons employed in schools or other public buildings as oilers.
- e. Persons employed in the care of steam boilers, heating, lighting or power plants, where they are required to hold first-class firemen's licenses.
- f. Persons employed in the care of steam boilers, heating, lighting or power plants, where they are required to hold second-class firemen's licenses.
- g. Engineers and firemen who have a license for a particular plant.
- h. Chief, first and second assistant marine engineers.
- i. Marine firemen.

Rule 6 is hereby corrected by inserting in the last line thereof before the words "sections 23 to 25, inclusive, of said chapter 90," the words "said chapter 90 relating to motor vehicles except those of" so that said rule shall read as follows:

1. No application for appointment will be accepted from any person habitually using intoxicating liquors to excess; or from any person who, within the year next preceding his application, has been convicted of any crime against the laws of the Commonwealth, and the name of such a person shall be removed from any eligible list; provided, however, that the Commissioner may, in his discretion, accept the application, or continue the eligibility, of a person convicted within said year of a violation of any rule or regulation made under section 31 of Chapter 90, General Laws, or of any of the provisions of said chapter 90 relating to motor vehicles except those of sections 23 to 25, inclusive, of said chapter 90. (G. L., 31, s. 17.)

Rule 26 is hereby repealed and a new rule 26 submitted as follows:

1. When a reserve police or fire force has been established by law in any city or town, except Boston, appointments to the permanent police or fire force shall be made from those reserve men who shall have performed duty whenever called upon so to do, and if there are no such reserve men appointments may be made from the reserve force or after certification from the eligible list. (G. L. 147, ss. 11-13; St. 1928, c. 218.)

(Signed) ELLIOT H. GOODWIN
GEORGE M. HARLOW
PATRICK J. MCMAHON
Commissioners of Civil Service

Approved in Council: November 28, 1928

(Signed) WM. L. REED
Executive Secretary

A true copy. Attest:

JOHN C. GILBERT

Executive Secretary: Division of Civil Service.

In accordance with the provisions of Section 7 of Chapter 31 of the General Laws, notice is hereby given that said amendments to the civil service rules will take effect on the first day of February, A.D. 1929.

By order of the Commissioners of Civil Service.

December 3, 1928

JOHN C. GILBERT
Executive Secretary

